20¢ FEBRUARY 6, 1950

New Republic

MERLE MILLER REPORTS THE HISS TRIAL

FOREIGN POLICY IN CRISIS

By FREDERICK L. SCHUMAN

JAMES LAWRENCE FLY ON WIRE-TAPPING

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British Elections—February 23

Issues of tremendous consequence, not only for Britain but for the world, are involved in the coming general elections in Britain now set for February 23.

It is of the utmost importance that Americans should understand these issues.

Because most American daily newspapers are so bitterly hostile to the Labour Government, it is almost impossible to get from our papers a clear view of what is happening and what is at stake.

In this connection, we commend to our readers the comprehensive series of four articles by Norman MacKenzie, of the *New Statesman and Nation* (London), the final article of which appeared January 23.

To make this series available to all who wish to review the issues and follow the debates as they take place and are reported, we offer the four back numbers at a special bundle rate of 10¢ each, or 40¢ postpaid for the series.

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New Republic

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WASHINGTON WIRE

IT IS A BASIC thesis of Communism that American democracy is humbug. In the FEPC fight, Congress is doing its best to prove the Communists correct. Look at the facts. At their 1948 Philadelphia conventions both parties pledged themselves to civil-rights legislation. Does that mean Congress will pass it? On the contrary. American legislative machinery as now constituted, we sorrowfully believe, is incapable of putting into effect a pledge given unanimously as an election appeal by both parties.

We hope we are wrong about this; we think we are not. It is our judgment that the House will ultimately pass the FEPC bill. In the House it is still possible by one device or another to bring a bill to a vote. The Senate is another matter. The bill, we think, will die there, not because it is voted down but because it can't reach the floor for a vote at all: *i. e.*, democracy doesn't work. The means for preventing the Senate vote is the filibuster.

Henry Wallace takes pride in his role as wartime Vice President. Whatever waters have flowed under the bridge since then, this many-sided man is proud of those feverish and consecrated days. Appearing here voluntarily and under oath last week, he demolished the preposterous Fulton Lewis Jr. charges that he had personally intervened to expedite restricted uranium shipments to Russia in 1943-44. Those great days of the Roosevelt war cabinet came back as Wallace testified. His hair is as thick as ever, but now it is iron-gray. FDR, through Vannevar Bush, made Wallace a confidant and adviser on the atomic-bomb proposal. Wallace at one time was one of half a dozen men who knew the plan. As a scientist he was appealed to, and as such, with all his strength, he backed the bomb's construction.

There was grim humor in the hearing. In the small, packed, evil-smelling chamber of the House Un-American Activities Committee that is so like a police court, Wallace was, in effect, on trial. His reward for his part in the great adventure was dark suspicion. The bouncy Lewis, with a sunburst necktie, sat in the front row. He had attacked Elmer Davis on the air only the night before in a typical broadside and now the attendants had seated them side by side, shoulders rubbing, feet occasionally hitting under the cramped table. The two noted commentators masked their faces and did not speak, though they used the same ashtray. Other reporters spoke to Davis, not Lewis.

Today in Washington there is only one Administration official who puts on a good show. It is Dean Acheson. In the old days many cabinet conferences were worth attending, but Truman does not like towering personalities. Now there is only Acheson. He has 100 to 200 reporters at each conference. They were waiting for him after the Hiss verdict. What would he say—the suave, elegant, fastidious Secretary with the Hiss millstone tied around his neck? Gaping reporters suddenly heard this son of an Episcopal bishop of Connecticut quoting Scripture at them—the Sermon on the Mount—and doing so with such vigor and fire that they were impressed in spite of themselves. "I do not intend to turn my back on Alger Hiss," he ended.

It must be next to impossible for a man so complex and tightly disciplined as Acheson ever to let himself go completely; he knew exactly what he was doing and calculated the effect of each word. But his gesture was courageous and generous—perhaps all the more so for having been resolutely planned in advance. It was tremen-

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dously effective in the conference room.

That is the baffling enigma of Alger Hiss. He is convicted by the testimony of a self-admitted spy, who likewise ruins himself by his evidence. Yet what is the real truth of the matter? Those who knew Hiss personally simply cannot understand it, or his motives. It is a case where the unanimous verdict of a jury still leaves half the nation speculating.

John T. Flynn is the chief Roosevelt-hater. His latest book about America's "creeping revolution," showing that British Socialism is the same as Moscow Communism, only a little worse, leads the current *Reader's Digest* in an 18-page condensation. Five of the seven "representative" and laudatory book-review excerpts preceding the *Digest's* condensation are significant by their authorship: Benjamin Stolberg, the New York *Daily News*, the Brooklyn *Tablet*, Executive Books, Inc., and the New York *Journal-American*. Queer company Auntie Digest is keeping.

But the extraordinary thing is that the *Digest* has had the nerve to take a sentence from Harry Baehr's October 30 New York *Herald Tribune* review and a phrase from Karl Schriftgiesser's October 2 New York *Times* review to give respectability to the affair, when actually in their complete reviews these two men show the book up for the preposterous thing it is.

Here is the *Digest* technique. Schriftgiesser is quoted—"[One of the two] most important books about the contemporary American scene that we will have this year." What he wrote in the concluding sentence of the same paragraph is carefully "digested" out: "Their importance lies in the fact that they are the latest and most extreme manifestations of an endemic hysteria presently affecting a considerable segment of our society." Baehr's review points out that Flynn favors keeping the Negroes from voting! This constitutes one of the fanciest bits of "digesting" we have ever encountered.

Washington T. R. B.

CORRESPONDENCE

State of the Union

SIR: In your special January 16 "State of the Union" issue, under the subhead "Other Major Issues," you present a proposal to convert American food surpluses into a UN fund, available to be spent in each beneficiary nation in its own currency, for improvements designed to implement Point Four.

This paragraph, tucked away in your long and excellent summary, seems to me to deserve special attention and comment. It was startlingly simple and gratifying to me; it seems so sound, and at the same time so humane and natural, that its potentialities appear almost inexhaustible. . . .

Kent, Wash. LINDEN DALBERG

[Brief comments on "The State of the Union" have also been received during the past week from the following members of Congress: Senator Hubert H. Humphrey (D, Minn.) says: "You have made a great contribution to an intelligent understanding of current issues and politics"; Representative Arthur G. Klein (D, N. Y.) terms it "a masterly exposition of a legislative program for liberal-minded Americans"; Representative Frank Buchanan (D, Pa.) calls it "an excellently integrated summary"; and Representative Richard Bolling (D, Mo.) writes: "While, as one would expect, I don't agree with every single statement, it does seem to me a truly excellent piece of work. Such information in brief and readable form is invaluable to those people who are interested in facts, not propaganda, and in the future as well as the past." – THE EDITORS]

Frontier "Justice"

SIR: Four young Indians were sentenced on October 11 to a combined total of 56 years in the penitentiary for the theft of one sheep in Juliaetta, Idaho, under an old pioneer law invoked for the first time in decades. The sheep—worth at the most $15—was returned alive to the owner. This tragic sentence stands as an indecent monument to the persistence of the generations-old pioneer hatred of the Indian.

The boys, William Lawrence, Avery and Aloysius Wishtoken and Elmer Rickman, aged 19 to 21, were off the reservation and had been drinking in celebration of the birth of a son to one of them. They were assured by the prosecuting attorney that they could count on leniency if they pleaded guilty. It was only after the cruel sentence of 14 years upon each that they sought the help of counsel. Counsel's plea to the judge to set aside the sentence and for permission to enter a plea of "Not Guilty" was denied.

The US Commissioner of Indian Affairs, John R. Nichols, writes:

> My only purpose is to let you know of our previous concern over this matter as well as our apparent legal inability to do anything about it, and also to express my own indignation. It strikes me that the stealing of one sheep, which was later returned to the owner, according to the press report, even if proven in court, certainly would not merit a 14-year sentence. If I remember correctly, a man who admittedly absconded with thousands of dollars from a bank some months ago was sentenced to only 5 years. . . .

Native Idahoans have led a spontaneous nationwide movement of protest against this barbaric sentence. We now seek the support of citizens throughout the nation to win a new trial for these boys and, above all, to vindicate the historic American tradition of equal justice for all. We shall file a brief *amicus curiae* in the Supreme Court of Idaho, and carry the appeal to the Supreme Court of the United States, if necessary. . . . If we are to safeguard justice and equal opportunity for the descendants of the first Americans we need the support of every sympathetic citizen. I ask for your immediate response to this appeal. Send contributions to the American Indian Fund, 48 East Eighty-sixth Street, New York 28, N. Y.

OLIVER LA FARGE, Chairman,
American Indian Fund of the
Association on American Indian
New York City Affairs, Inc.

Attack on Miller

SIR: Your readers may be interested in learning that once again federal censorship is attacking Henry Miller's autobiographical novels.

Specifically, the government wants to seize and destroy copies of *Tropic of Cancer* and *Tropic of Capricorn*. The case comes before federal court this spring, the date being determined by the crowded condition of the court calendar.

The action is taken against the two books as respondents rather than against Henry Miller as the author. However, the court decision, if adverse, will be another nail in the screen of censorship that is cutting off from the American reading public one of the great living writers of realistic literature.

RIDGELY CUMMINGS
San Francisco, Calif.

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VOLUME 122, NUMBER 6, ISSUE 1836. NEW YORK CITY, FEBRUARY 6, 1950 **New Republic**

GOVERNMENT POLICY AND PROSPERITY

SOONER OR LATER, each year, the speeches end, and the editorials are laid aside; our national outlook resolves itself into the appropriations we are ready to spend and the taxes we are ready to collect.

Appropriations originate in the Executive as part of a legislative pattern for the general welfare. Taxes originate in Congress with only the barest relation to the general welfare. Appropriations are determined ultimately by the shape of the tax program. But the tax program is shaped by an agglomeration of special pressures according to its own obscure laws. The result, of course, is imbalance between our spending program and our tax program. It is expressed by the deficits we are ready to incur, and the wastage we are prepared to suffer in unemployment and idle resources. It is a growing imbalance today.

And for no good reason. The war left America with a tax structure well able to cover the highest peacetime budget. Responsible government would have taken advantage of the latitude in revenues that the tax structure provided to eliminate all inequities and weaknesses before reducing its claims on individual and corporate wealth. Instead, the Administration let the excess-profits tax go and the 80th Congress robbed the tax structure of $5 billion in earning capacity each year while the inequities and weaknesses remained.

Since then our national finances have been out of control. There is little chance that they will soon be brought back under control. Once a given tax is removed, economic readjustments are made and vested interests are created which make its restoration unfeasible. Against the tremendous pressures that prohibit tax increases there are few that work for over-all economic balance.

To maintain over-all balance the President and Congress are agreed that there should be budget surpluses in times of high employment.

Yet this year the deficit is likely to be more than $5 billion.

Robbed of all latitude in revenues by the action of the 80th Congress, the President none the less has called for the elimination of the inequities of excise taxes. He adds that he will veto any tax program that does not maintain over-all revenue by new taxes.

Congress, hard-pressed by business interests, will cut excise taxes by more than the President suggests. But it will not close the loopholes as he recommends. So, in an election year, at a time when general sentiment for a balanced budget is rising, Congress is faced with defying the President by increasing the federal deficit or slashing essential expenditures.

The Spending Program

President Truman maintains that the $43 billion program he sent to Congress is the sum of the lowest possible expenditures "consistent with the requirements of national security, world peace, economic growth and the well-being of our people." He is largely right.

The natural inclination of Congress is to slash expenditures rather than raise taxes. Yet $25 billion in the present budget represents fixed commitments—matching grants to the states, service of the debt, payment of veterans' pensions, expenditures on price supports and mortgage purchases, according to the terms of legislation already enacted. For this reason a small percentage cut in the budget represents very large cuts in the remaining expenses for defense, foreign aid and domestic welfare.

Defense expenditures for every man, woman and child have risen from $8 in 1939 to $85 today. Yet the wastage has been largely cut out of the military budget. Foreign aid has risen from 15 cents per person in 1939 to $42 today. If it is slashed now, all its benefits may be lost. All other expenses of government have risen from $42 per person in 1939 to $80 today: that is much less than the fivefold rise in national income. Twelve billion dollars today covers all programs for health, welfare, education, resource development, communications and transportation, aid to industry and agriculture and essential government services, such as law enforcement and the mail. Some subsidies can be cut, as Senator Paul Douglas maintains, but the total savings are small. If for these reasons expenses cannot safely be reduced, can taxes be increased?

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The Tax Program

In accordance with his limited rights on tax matters, the President has recommended to Congress revisions in the tax system "to reduce present inequities, to stimulate business activity and to yield about one billion dollars in net additional revenue."

The first set of inequities that concern Truman are excise taxes. "Some are depressing certain lines of business," he states. "Some burden consumption and fall with particular weight on low-income groups. Still others add to the cost of living by increasing costs."

We raise $8 billion a year in excise taxes. The President proposes that seven excise taxes be reduced. But why these seven only? And why reduction and not repeal? A thousand industry groups are asking these questions and bearing down on the House Ways and Means Committee. The President's suggested reductions may add up to $700 million. Congress is likely to go much farther in depriving government of its revenue from excise taxes.

The second set of injustices that concern Truman are the tax loopholes. "A tax concession to a favored few is always unfair," he states, "but it becomes a gross injustice when the tax rates are high." Here Truman is crashing against the battlements which those who benefit from gross injustice have raised within the walls of the Capital.

Truman may suggest tax changes. But no tax bill has a chance unless it bears the names of the chairmen of the Senate Finance Committee and the House Ways and Means Committee. Chairman Doughton (D, N.C.) of the House Committee is hardly a Fair Dealer. And Walter George (D, Ga.) is remaining in the Senate largely because he is invaluable, as chairman of the Senate Finance Committee, to the Chamber of Commerce, the National Association of Manufacturers, and the forces they represent. Under George, the Senate Finance Committee has come to represent the very group that President Truman wishes to tax.

For example, the President calls for an end to the excessive exemptions for depletion of oil and mining properties. He points out that during five war years, when Americans earning $20 a week were paying income tax, these exemptions enabled one oil man to develop $5 million worth of oil properties without paying a cent in taxes and to pay only $100,000 a year in income taxes, although his income from non-oil sources was $1 million. Who could be more moved by these arguments than Senator Robert Kerr (D, Okla.) of the Senate Finance Committee, or, for that matter, any of the members of the powerful delegations from oil and mineral states that dominate the two committees?

Every aspect of the tax structure shows its complexity and irrationality. We allow individuals to earn two and three million dollars a year in tax-exempt bonds because to end these bonds would raise the costs of running our hard-pressed cities. We allow corporations to amass excessive fortunes through tax-exempt foundations, since without these foundations our universities would need greater subsidies. We levy taxes of 77 percent on estates, and then exempt so many groups by Congressional action that the estate taxes earn less than school kids pay for movies. We tax capital gains as a normal form of income and then permit universal evasion in the superstitious belief that capital is magic and must not be harmed lest the incentives that drive our nation forward wither away.

Incentives certainly are an important issue. We collect $20 billion out of a taxable base of $80 billion in individual income taxes. We take $11 billion out of a taxable base of $25 billion in corporate taxes. No such amounts can be taken for long without affecting incentive to some degree.

The President maintains that tax relief for new corporations and for small corporations will more than pay for itself by raising total income and total tax receipts. He could argue with equal justice that raising individual exemptions by $100, while it would cut revenues by $5 million, would raise purchasing power and national income enough to compensate for the loss—if taxes on higher incomes were restored. These decisions vitally affect incentive in America. Yet in each case the choice that Congress makes is determined less by the weight of the argument than by the strength of the pressures that are applied.

The Budget

The federal budget has become the greatest force in America in determining levels of prices, income and employment. Its income, its expenditures and the relation between them should be determined by the Executive and the Legislative through coöperation and informed review. Instead, they are determined by a competitive tug of war.

The Executive has done the basic work in preparing the budget. It has been, in the words of the Hoover Commission "a patchwork affair . . . following no rational pattern." Now, in accordance with the Com-

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mission's proposals, the Administration has submitted a performance budget in which appropriations are related for the first time to activities and services.

At the same time the budget has grown so swiftly that even with these reforms, intelligent review by Congress is difficult. It is impossible today because Congress is not equipped to review the budget. The appropriations committees of Congress take one-half of the budget and rearrange it according to one set of prejudices. The revenue committees take the other half, and, with no coördination, arrive at their own decisions.

Three years ago, the Legislative Reorganization Act charged Congress with coördinating its work through a Joint Committee on the Budget, which would draw up a legislative budget. The Act was a failure. Coördination seemed impossible. Each clerk on the understaffed revenue committees was left with an average of $3.5 billion in revenues to review. Last year, in consequence, less than half of the government had new funds to meet weekly payrolls as the fiscal year began.

The one solution Congress has proposed is to join all appropriations in a single omnibus bill. It offers new means of saving time and also new dangers. It makes study more difficult. It incites log-rolling and makes a Presidential veto almost impossible.

As the role of government increases, an overburdened Congress faces reform or collapse. Reform, it seems clear, lies in a return to the objectives of the 1946 reorganization, in reviewing the budget as a whole with the aid of an adequate Congressional staff. Meanwhile a short session is moving on, and elections are coming up. If Congress will not end the gross injustices, then it should raise revenues by increasing the corporate tax rate, rather than by cutting appropriations at the expense of welfare, security and world peace.

THE WEEK

DOING TRICKS WITH FEPC

Washington is witnessing something new—the adoption of the customary Senate stalling devices by the House of Representatives. To block FEPC legislation without being caught doing it, Republicans have taken their dirty work behind the closed doors of the House Rules Committee. There the shrewdest of all the Republican reactionaries, Clarence Brown (Ohio), is directing an on-again, off-again operation in which at least one GOP member of the committee and one of their Dixiecrat allies absent themselves whenever a vote is to be taken on reporting out the FEPC bill. Brown then sanctimoniously announces in the committee meeting that his side has promised not to vote on this important matter until everyone is present. Brown switches his own vote in committee as strategy requires, last week voting against reporting out FEPC, then indicating that next week he will vote the opposite way. Presumably some other Republican who voted for the proposition last week will vote against it next week to maintain the tie vote which has prevented favorable action hitherto.

To add to the confusion, a fight has developed on the Democratic side over sponsorship of the petition to discharge the bill from Rules Committee consideration. Representative Adam Clayton Powell (N. Y.), author of the FEPC resolution, enraged because freshman Representative Franklin D. Roosevelt Jr. introduced such a petition one day before Powell got around to doing so, has accused Roosevelt of "failii g to show even common courtesy" in thus taking the lead. Powell claims that many Republicans who would not sign a Roosevelt-sponsored petition, will sign one offered by him. Roosevelt says he will withdraw his petition in favor of Powell's, if that can be proved.

Back of this seemingly petty squabble is the continuing fight between the American Labor Party and the Democrats over the Negro vote in New York City. Representatives Powell and Vito Marcantonio (ALP, N. Y.) had voted with the Republicans, the week before, to adjourn the House and postpone the showdown on restoring bottleneck powers to the Rules Committee, as proposed by Eugene Cox of Georgia. Roosevelt and leading Democrats accused Marcantonio and Powell of being primarily concerned with discrediting Administration efforts to pass FEPC in order to show that they are the only ones really trying to get the bill through. The Republicans thus far have taken little notice of the two petitions. Before Representative Powell blew up at Roosevelt in open session of Congress, advocates of FEPC say, there was enough organized pressure to put every Republican on the spot with his own constituents on this issue and force the 218 signatures necessary to call up the bill in very short order.

Marcantonio, master parliamentarian, will continue to press for FEPC action through recourse to the "calendar Wednesday" procedure, usually disregarded in the House. Standing rules provide that each Wednesday be set aside for committee chairmen to bring up bills which have been approved by their committees. Usually, the House unanimously agrees to disregard this procedure and continue its

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regular business. From now until FEPC is brought up by some means or other, Marcantonio will insist that the rules be followed in this respect.

The probability is that Speaker Sam Rayburn will settle all the commotion by recognizing John Lesinski, chairman of the Labor Committee, to bring up FEPC under the 21-day rule either on February 27, the next such discharge day, or soon thereafter. The next regular "discharge day" would normally be the day after Lincoln's Birthday, Monday, February 13, but Republicans insist on adjourning that day in order to celebrate the Emancipator's memory with speeches back home.

BIG STEEL'S POWER

The big men in Big Steel have spent a week before the Joint Committee on the Economic Report trying to explain why each of the companies, following the leadership of United States Steel, has announced what amounts to a uniform change of price. When Senator Joseph O'Mahoney (D, Wyo.) opened the hearings, he said, "We are dealing with one of the most important problems in the modern world—the manner in which large industrial corporations exercise the vast powers which have been accumulated by them under modern industrial organization. We have here questions of price leadership, of administered prices, of the burden which all industry must bear when costs are increased, and of the character of the authority which is exercised to alter these costs."

Concentration of production is particularly prevalent in steel, which is not only the largest manufacturing industry in the country but one in which eight companies produce almost 80 percent of all the steel the American people use. O'Mahoney pointed out that, according to the latest information, US Steel now owns 35.2 percent of our total ingot capacity; Bethlehem ranks second, with 13.5 percent; Republic, 10.2 percent; and the next five companies (Jones & Laughlin, Youngstown Sheet and Tube, National Steel Corporation, Inland Steel, and American Rolling Mill) range downward from 5.3 to 3.4 percent, making a total of 79.5 percent. The net capital assets of these eight companies amount to 69.3 percent of the total net capital assets of the entire industry.

US Steel President Benjamin Fairless told the committee that his company's price increases—averaging $3.82 a ton—announced last month, were not enough to offset higher production costs. He said the increased costs of insurance and pension programs, plus higher social-security taxes effective this year, amount to $3.88 a ton. E. M. Voorhees, chairman of US Steel's Finance Committee, blamed steel price increases on the "large and continuing increase in the cost of producing steel," such as the price of coal and equipment. Otis Brubaker, research director for the United Steelworkers (CIO), charged that the "December, 1949, steel price increase was not instituted by the industry for the purpose of offsetting allegedly high operating costs, but to increase profits already exorbitantly high." He said that the cost of pensions and social insurance will not approach the additional revenues which will be derived from the price increases and the demonstrable cost savings. "Total steelmaking costs have declined sharply since mid-1948," Brubaker said, pointing out that the cost of scrap has declined by more than $400 million annually, and costs in non-ferrous metals and fuel oil have declined by more than $80 million.

After examining the bases announced by the companies for the most recent price increase, Brubaker concluded that they will "substantially exceed $4 per ton, or four percent. The conclusion is inescapable that the recent price increase has been misrepresented so that it appears to be less than it actually is. Even if the increase were only $4 a ton, it would represent an additional cost . . . of $264 million—an amount far in excess of any demonstrable cost increases. . . ."

When O'Mahoney questioned Ben Morell, head of Jones & Laughlin, on why his company "followed in the footsteps" of US Steel in making the December price increases, Morell answered that "we were already chafing at the bit to raise our prices. If we could, J & L would raise prices even more. But competition is a great regulator of prices."

Brubaker charged that the uniformity of timing and the amount of the price increase are not controlled by competition and do not produce prices which bear any necessary relation to costs. "If Youngstown Sheet and Tube and other companies in this industry were directly interested in price competition," he said, "here was a beautiful opportunity to take business away from 'competitors' by refusing to raise prices, or raising them by a lower amount; by actually 'competing' on prices."

By raising prices when heavier private investment in new plants and equipment is so essential, Senator O'Mahoney pointed out, the steel industry is actually threatening the economic health of the nation.

Big Steel may be pricing itself out of the market and the country into a depression.

DAKOTA SWITCH

The National Farmers Union is paving the way for North Dakota's two Senate votes to move from the Republican to the Democratic side of the aisle. Two hundred county officials of the Farmers Union in North Dakota have unanimously adopted a resolution calling on the North Dakota Non-Partisan League, now the liberal wing of the GOP and the balance of power in that state, to switch over to the Democratic Party. NFU leaders are the backbone of the League.

Such a move would give the Democrats a real possibility of defeating Senator Milton Young (Republican) who is up for reëlection this year, and would call for Senator William Langer to join the Democrats in the Senate. Langer is head of the Non-Partisan League and says frankly that if the League changes parties, so will he. He votes with the Democrats more often than with the Republicans, as it is.

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Glenn J. Talbott, president of North Dakota Farmers Union, and James Patton, National Farmers Union president, discussed the new alliance with President Truman and other top Democrats last week, talked with Langer, and left Washington smiling. There are still a great many details to be worked out, but it looks like bad news for the Republicans in North Dakota.

McCARRAN GIVES IN

Senator Pat McCarran (D, Nev.), the self-appointed immigration chief, has finally permitted the Senate Judiciary Committee to release a long-overdue, somewhat amended version of the Displaced Persons bill. McCarran's vociferous charges that our government is virtually welcoming the "undesirable and subversive" peoples of Europe held up passage of the DP Act last session and his new amendments will cause considerable more delay.

The Senate Judiciary Committee did make one change that President Truman has urged in the present law. The date by which displaced persons must have entered European DP camps to be eligible for entry into this country has been shifted from December, 1945, at which time the number of Jewish refugees was low, to January 1, 1949. The bill also increases the number of admissions from 205,000, allowed by the original measure, to 320,000 (the House bill calls for 344,000). However, it broadens the definition of a Displaced Person to include the *Volksdeutsche* and other elements, believed to contain numerous Nazi sympathizers and anti-Semites.

Senator McCarran had his way on one anti-Semitic provision that had been junked by the House. The Senate measure contains quotas for farmers, requiring that 30 percent must have been in agriculture for at least two years, a provision that would limit the number of Jews admitted. The bill also continues the present law's provision that 40 percent of admitted DPs must be from countries annexed by a foreign power. It gives the United States Foreign Service or Immigration Service officers "veto power" over the eligibility of any displaced person. (McCarran has charged that these officials in the past have been mere "rubber stamps" of original investigations "made by foreigners under the International Refugee Organization." Actually, each immigrant is screened by the IRO, by the United States Consular Service, by the Army's Counter-Intelligence Corps and by the Immigration and Naturalization Service. Immigration officials have elaborate scientific and laboratory techniques to detect fraudulent documents and the examination given each individual has been described as far more rigorous than the government loyalty check.)

The committee reported out the amended version by a vote of 10 to 3. Because of the several discriminatory provisions written in by McCarran, Senators Frank Graham (D, N. C.), Harley Kilgore (D, W. Va.) and Homer Ferguson (R, Mich.) opposed the measure.

Wrong Number

DEFINITION OF FREEDOM

The United States Court of Appeals has firmly upheld the Federal Communications Commission's right to deny radio-station licenses to newspapers in cases where a monopoly in the mass communication of news and advertising would result. The FCC had rejected the applications of two Ohio newspapers—the Mansfield *Journal* and the Lorain *Journal*, both owned by the Lorain Journal Company—for permission to enter the local radio field.

The Mansfield *Journal*, the FCC ruled, had used its position as the only newspaper in the community to coerce its advertisers into making "exclusive" contracts with the newspaper. It did this by refusing to permit certain advertisers, who also used the local radio station to sell their products, to secure regular advertising contracts or to place any advertisements in the newspaper. In addition, the paper had "demonstrated a marked hostility" to the radio station by declining to publish the station's program log and by failing to print any but unfavorable comments about it. The Commission concluded that such actions were taken with the intent and for the purpose of "suppressing competition." Since both papers have common ownership and control, the FCC also denied the Lorain *Journal* a license for a station in that town on the ground that the owners were likely to abuse their power in either situation.

Upholding the FCC ruling, Judge George T. Washington, in his first major opinion since his appointment to the bench last fall, declared that "monopoly in the mass communication of news and advertising is contrary to the public interest, even if not in terms proscribed by the anti-trust laws." The newspapers had asserted that the FCC was attempting to en-

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force the anti-trust laws, a Justice Department, not an FCC, function. The Court pointed out that whether or not the Mansfield activities amounted to a violation of law was not being determined in this case, but the activities none the less "may impair Mansfield's ability to serve the public."

The Court rejected a contention that the license was an invasion of the freedom of the press, guaranteed in the First Amendment to the Constitution. Judge Washington said, "Just as the First Amendment does not provide the press with immunity from the commands of the anti-trust laws, so a newspaper, when it stands as an applicant for a radio license, may not rely on the First Amendment to compel the FCC to disregard public interest in considering its application." To emphasize his point, he referred to the words of Justice Black (Associated Press v. U.S.): "Freedom to publish means freedom for all and not for some. Freedom to publish is guaranteed by the Constitution, but freedom to combine to keep others from publishing is not."

OUTSIDE AMERICA

Western Europe's failure to go along with the amount of "integration" that is the *sine qua non* of Congressional satisfaction may very well be a fact, plain for all to see, in the not distant future. The American warnings to the Europeans are being matched by counter-warnings on this side of the Atlantic—which the Atlantic Pact has not made any narrower. Even *Le Monde* writes:

> Most of the European governments profess to agree with the American goal —the effort to check Communist expansion by the barrier of a Western Europe economically organized and politically united. At least they do in their official statements. But when they move on to action, difficulties arise. Some of these come from the awkwardness and haste of the American authorities. In driving the Marshall Plan along the road of long-term national plans, they have developed a tendency toward autarchy. They would profit by remembering this fact before criticizing the economic nationalism of the European countries. Similarly, in wanting to hasten the rhythm of coöperation, they have often accentuated certain antagonisms, hastened certain defections. At present they are hammering away at the idea of "integrating" Europe and, in doing so, setting goals which seem impossible to obtain within a short period of time by democratic methods.

The last phrase is the ominous one. From the American viewpoint, it is plain that "integrating" is a *must*, an absolute necessity; if Capitol Hill does not get what it wants from Europe as quickly as it wants it, there may be no ECA or an ECA crippled into ineffectuality; if ECA goes, with it may go all the work of the last two years, victory in the Cold War, the edifice of security. But if Capitol Hill *does* get what it wants at the price of Europe's loss of democracy, Europe's triumph of reaction, of defeatism, of anti-Americanism, where will American security be?

Obviously a compromise is necessary, and few things are more difficult than a compromise between two moods, both based on feeling, hence unamenable to simple reason. It is too much to expect US Senators to give up their stress on the quantitative factors of dollars and cents, nor the Europeans theirs on the qualitative factors of history and habit. But it is not too much to ask the Americans to see where their high-speed, strong-arm methods will lead, the Europeans to understand the sterility of their defeatist sabotage.

Whether Americans like it or not, there is no Europe in-being or even seriously in-becoming; and neither the project of a "European army" (sponsored in England) nor the "integration" (sponsored in America) will bring it into being in time for the crucial session of Congress. France is in the reality of the present situation the key, and in the present mood not one that will fit the made-in-America lock.

The French government, wobbling on its way through the political *slalom* of domestic dangers, may pay for its continued existence by promising America what Capitol Hill wants. That would be a hypocritical solution; the French government would be able to deliver only figures and the Americans will look through them to the facts.

There is one other possibility, a risky one, yet a way toward a compromise. If the American government prevailed upon the party of Premier Georges Bidault—the MRP—to take the chance of a general election, fought largely on a full and frank statement of what America wants and needs in order to help the great masses of Frenchmen get what *they* want and need, the political climate of France would change. If the French voters want an anti-democratic regime, let them say so—instead of saying the Americans are forcing it on them. But General Charles de Gaulle's star is low in the heavens of French politics; an election probably would change little in the tripod of party politics on which the French government sits. Still, if it were returned by the voters on the real issue of Franco-American understanding or Franco-American misunderstanding, it would be able to sit firmly—and to act.

The present French government—the Parliament on which it rests—was elected before the Marshall Plan was put into effect. There have been no elections before because there was fear, first, of the Communists, then, of the Gaullists. If the present Franco-American misunderstanding continues, France will be handed eventually either to the extreme Right or the extreme Left. To forestall that eventuality now, it would be better to let the Frenchmen (whose existence the anti-Americans say the Americans do not recognize) speak for themselves. French defeatism could not stand up well to such a proof of French democracy—nor of American support for French democracy. PERCY WINNER

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THE SECOND HISS TRIAL

by Merle Miller

ALGER HISS, even to the name, was cast for the role of hero. Alger has a good American ring to it; he was so named because his father had admired the Horatio Alger heroes. And for a very long time the Hiss career resembled that of a perhaps too refined Alger creation. There was that scholarship at Johns Hopkins, where, of course, he made Phi Beta Kappa, and another at Harvard, where, quite naturally, he was on the *Law Review*. After that, as was suitable for a young man almost everyone thought charming, handsome and brilliant as well, he became the law clerk for the late Justice Oliver Wendell Holmes. From there he returned to Boston to join a firm named Choate, Hall, and Stewart.

His career always appeared to be meticulously planned, easily predictable and invariably correct. True, a few were surprised that he had not gone in for the big money he could unquestionably have made as a corporation lawyer, but those who remembered him from college recalled that there had always been a sense of dedication about him.

He did well in the government. He was like so many young men who felt an urge for public service in the early thirties, who had listened to the confident voice of the new President and had wanted to be a part of the history that was to be made in Washington. His was a typical government career in those days, though always above average, always more successful than most. First, there was the AAA, then the investigation of the men who made munitions and who, at the time, seemed responsible for wars, then Justice and, finally, State. By the time of Yalta, Alger Hiss was, as the Hearst press gleefully insisted during the trial, "a confidante of the late President Roosevelt." And at San Francisco he was the secretary-general; even for *Life* magazine his arrival at the Washington airport with the new UN Charter was the picture of the week.

Although he was still only 43, a young man for such honor, no one was much surprised that in 1947 he became the $20,000-a-year president of the Carnegie Endowment for International Peace, a job in which he had had only two predecessors, Elihu Root and Nicholas Murray Butler.

As he sat in Federal Court, on trial for perjury, no one could have denied that he looked like a man of destiny. If the suits he wore were not Brooks Brothers, they were in impeccable taste, as was everything else about him—the shirts with the French cuffs always discreetly hidden, the soft, becoming ties, the smartly shined black shoes.

The government of the United States was spending tens of thousands of dollars trying to make a villain of Alger Hiss. But he simply would not fit in. Although his apartment was in the Village, he looked more like a man who had just arrived on the commuters' train from, say, Larchmont and had stopped off to take care of some temporarily embarrassing but preposterous unpleasantness which could not for a moment involve him. And with him he brought his wife Priscilla, who was also wrong for her part. If there had been one slight error in putting it together, her face might have been thought plain, but it was not. It was, instead, a face that suggested breeding and a great deal of strength, although like her husband she looked as if she might not have been sleeping well lately. Listening to the sprawling, putty-faced Whittaker Chambers who was accusing her as well as her husband of high crimes, she seemed to have difficulty in keeping her distaste from showing.

That was the way the second trial of Alger Hiss began, and yet when it ended, no one, not even those who had hoped for a miracle, was much surprised that the defendant was found guilty.

Until early August, 1948, as some of the highest and most reliable officials in Washington have repeatedly testified, Alger Hiss had an almost unparalleled reputation for "loyalty, veracity, dependability." But on August 3 Chambers appeared before the House Committee on Un-American Activities and named nine persons who, he said, had been Communists. None of the others acknowledged the slur, but Hiss demanded to appear before the committee to clear his name.

When he did, he was shown a picture of Whittaker Chambers, and he conceded that the face might be that of a man he had once known as George Crosley. He told the committee that Crosley was a somewhat disreputable free-lance writer he had known when he was working for the Nye Committee.

Later that month, without warning, Hiss was confronted with Whittaker Chambers in a room in the Commodore Hotel in New York. When Chambers appeared in the room, Hiss asked him to speak. "My name is Whittaker Chambers, and I am a senior editor of *Time* magazine," Chambers replied.

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Hiss said he was puzzled. He asked a few questions, among others how Chambers squared the fact that he had told the House committee that he had lived in the Hiss apartment and yet had paid no rent.

"Very easily, Alger," Crosley-Chambers replied. "I was a Communist, and you were a Communist."

In one of his appearances before the House committee, Hiss challenged Crosley-Chambers to call him a Communist outside the halls of Congress where he would not be immune from prosecution. Chambers did. He repeated his accusation on a national network, and Hiss filed a $50,000 suit for libel. Chambers repeated the story on another broadcast, and Hiss raised his demand for damages to $75,000.

Until that moment, there had been no talk of stolen papers. No one had spoken of espionage. Chambers had in fact repeatedly denied that any espionage was involved. Presumably he had as much to lose as Alger Hiss by such an admission. Economically he had even more to lose; his job at *Time* paid $30,000 a year.

Nevertheless, Chambers brought forward the documents which he said had been hidden for more than a decade in the dumb waiter of a relative's house in Brooklyn, and later concealed in a hollowed-out pumpkin on his Maryland farm.

The matter then became one for the consideration of the Federal Grand Jury, and on the last day of its existence, December 15, 1948, Alger Hiss was indicted for perjury.

During the long, tortured days when Whittaker Chambers was on the witness stand, Alger Hiss seldom looked at him; he looked at Tom Murphy's broad back; he studied the plain, unemotional faces of the eight women and four men on the jury. He occasionally glanced at his wife, smiled at her and grasped her hand, and he often grinned wryly to himself as if he didn't know anyone else was watching—or didn't care, as if what Chambers was saying was a kind of monstrous joke which only Alger Hiss could understand.

Both men seemed supremely confident on the witness stand, and both wives were nervous, uncertain and unconvincing. Hiss was usually somewhat vague about minor matters, but Chambers appeared to remember everything in vivid and colorful detail. He explained his own misdeeds patiently, sometimes cockily, never apologetically. When asked why he had not revealed the espionage until so late a date, he blandly said: "I wanted to give my friends time to break with Communism." Asked if he hated Hiss, he denied it; he was, he said, fond of Hiss. "We were," he declared of the man whose career he had already shattered, "close friends, but we are caught in a tragedy of history."

How well had the two men known each other, how friendly were their wives?

Both Mr. and Mrs. Hiss eventually remembered that Mrs. Chambers had, as she said, painted a portrait of Alger's stepson, Timothy Hobson, but they had got rid of it. They agreed that it was not only unfinished but artistically inferior. Mrs. Chambers, apparently a modernist in her art, had given the child a green face.

Claude Cross, defense counsel, fastened on every item of testimony. He spent 40 minutes one time, and 30 another, going into the details of a mustache Chambers admitted having worn. Chambers had grown it, he said, as a kind of unsuccessful disguise when applying for a passport. Everyone in the courtroom knew in precise detail how the mustache looked, and everyone waited for Cross to tie it up with the case, but he never did.

In his opening statement to the jury, Cross seemed to be promising to involve Julian Wadleigh, the nervous, soft-spoken minister's son and Oxford graduate, who admitted having passed between 400 and 500 documents to Chambers but denied having anything to do with those Chambers had secreted. In his closing statement, Cross vaguely accused Wadleigh of taking the documents, but never quite got down to cases.

Then there was the maid produced by the government at the last moment. The Hisses had vehemently denied having visited the Chambers in Baltimore, but the maid remembered them well and in some detail.

And what about the $400? Chambers from the beginning had said that the Hisses loaned him $400 to buy an automobile. The Hisses denied it, although they did admit withdrawing $400 from their savings account on the day in November, 1937, Chambers said the loan was made. They had used the money, they said, to buy furniture for a new apartment. Again at the last moment, the government produced the landlady of the new apartment. She testified that the Hisses hadn't even seen the apartment until December.

Yet all this, one felt, could somehow be explained. The whole thing was a gigantic jigsaw puzzle which could and would become perfectly clear as soon as a few missing pieces were produced. But the pieces never turned up, and the Woodstock typewriter was something else again. So were the 54 documents.

It wasn't much of a typewriter anyway, that Woodstock; it was an office model, old, battered, unwieldy. Oddly enough, Alger Hiss doesn't type. He just never had time to learn, he said, but Priscilla did, and there were personal letters of hers, several of them, which experts in such matters said showed the same habitual typing mistakes as the ones made in the 54 documents.

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At least in 53 of them; one was typed on another machine. Whittaker Chambers wasn't sure, but he thought he might have got that particular one from Harry Dexter White, once the Assistant Secretary of the Treasury and also a Communist agent, Chambers said, though a rather timid one.

It is difficult now to understand why Hiss demanded to appear before the House committee and, further, why he brought a $75,000 libel suit against Chambers. It is clearly impossible to explain why it was he and not the government of the United States who went to the trouble and expense of finding that typewriter. If the Woodstock had not been there daily during the trial, cold and hard and uncomfortably real, there might have been more room for reasonable doubt. But there was the Woodstock, and there were the documents, and Whittaker Chambers said that Alger Hiss had given them to him to be transmitted to the Soviet Union. Hiss said he had not, but he had no explanation at all as to how they arrived in Chambers' hands—or, for that matter, how Chambers had received four specimens of what was admittedly his own handwriting.

Chambers, on the other hand, said he clearly recalled the noon they had met in a downtown restaurant in Washington; it was early 1934, and they were introduced by Harold Ware. Ware was not present to deny the story; he was later killed in an automobile accident. Chambers called him the head of the Communist underground in Washington. Also present at the luncheon was a man named Jay Peters, who was, Chambers alleged, head of the entire underground in the US. Peters couldn't testify either. He took a plane to Europe just before the first Hiss trial opened —and he has not been heard of since.

Hede Massing, once the wife of Gerhart Eisler and the only other witness to back up Chambers' allegation that Hiss was a member of the underground, said she had met Hiss only once and at the home of Noel Field, also a State Department official. But neither Field nor his wife could testify; they had disappeared behind the iron curtain, just when no one seemed to know. And Lee Pressman, who served with Hiss on the *Harvard Law Review* and who was named by Chambers, and John Abt and Nathan Witt and half a dozen others who were named did not appear. They were unavailable. Only the typewriter was available and 54 documents and, essentially, the word of two men and their wives.

There was some doubt as to just when the Hisses got rid of the typewriter, too. At first Mrs. Hiss couldn't remember, and when the subject of Clytie Catlett, her former maid, came up before the Grand Jury, Priscilla said she thought that Clytie was dead. Later Clytie turned out to be not dead.

It was the Catletts to whom the Hisses finally remembered having given the typewriter, and Clytie as well as her son appeared on the stand, though neither was a very satisfactory witness. It was necessary to prove that they got the typewriter before 1938, and the son thought they had, though he was vague. On the other hand, Sergeant George Norman Roulhac, another last-minute government witness, who shared the Catletts' apartment, was not vague at all. He said he did not remember seeing the typewriter until at least three months after mid-January, 1938—after the last of the documents was allegedly typed.

Cross in his summation hinted that someone, some unnamed confederate of Chambers, had found out that the typewriter was in the Catlett home by posing as a typewriter repair man, but just how Chambers or the confederate could have got to it and typed the documents was not explained.

In the end, of course, after Judge Goddard had explained what he meant by reasonable doubt, the jury must surely have thought most of the typewriter and of the documents. Murphy, a plodding, sometimes ironical, but always patient man, had not made the same mistake as at the first trial. At that time he had said, "If you don't believe Whittaker Chambers, then we have no case." This time he had asked, "Does the documentary evidence in this case prove beyond a reasonable doubt that Whittaker Chambers was telling the gospel truth?" To the four men and eight women who had sat there for 39 days listening to more than a million and a half words of testimony, the answer was yes. And so they found Alger Hiss guilty; they agreed that he had seen Whittaker Chambers after January 1, 1938, and had passed confidential State Department documents to him. It was as simple as that.

But there was more, of course, much more. The final answer may some day come from the men involved, the one so tall and thin and so seemingly certain of his destiny, the man respected by so many other men, including two incorruptible Justices of the US Supreme Court, the man who had the rendezvous with destiny, a date he will now never keep. And the other, so physically unprepossessing, the one who had finally betrayed Alger Hiss, of whom he had said, "Our relationship transcended our formal friendship. He was the closest friend I ever had in the Communist Party."

Judge Goddard would have rightly ruled such talk legally irrelevant, but it would not have been irrelevant in a wider sense. Someone should have mentioned the thirties. But no one did. No one spoke of the tragic

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war in Spain; no one described the high emotion of the days when the democracies seemed willing to (and did) let decency die there. No one talked about Adolf Hitler and Benito Mussolini and the frightening rise of Fascism in Europe. No one discussed the feeling of so many young men and women, so many thousands, who saw a bright star in the East, who felt that only the Soviet Union could or would fight back. And no one brought up the illusory days of the Popular Front when everyone, from palest pink to deepest red, seemed to be going in the same direction. It's history now, but it was reality then. Someone should have said so.

Of course, no one could ask—assuming Hiss is guilty of the crime for which he has now been sentenced to serve five years in prison—when he left the side of the Communists. Because he did. There is no doubt of that. He had broken by October 17, 1939, when he wrote a letter to William Marbury, a lifelong friend, saying that the Neutrality Act should and must be amended to allow the United States to send aid to England and France; no Communist would have done that. He had broken before November, 1939, when he helped Professor Clyde Eagleton of New York University write an article for a law journal embodying the Hiss idea of aid to the Allies; no Communist could have done that. And he had broken before December, 1939, when he sent a detailed memorandum to Francis Sayre outlining the basis for what later became the lend-lease program. That would have been impossible for a Communist, too.

It may be that, as with so many tens of thousands of disillusioned others, the awakening came on the dark morning in August, 1939, when it was announced simultaneously from Moscow and Berlin that the enemies-to-the-death had signed a pact which shattered the hope of a generation.

And what motivated Alger Hiss, a man even Whittaker Chambers once described as being ". . . absolutely sincere in his convictions and motivated by the idea that he was on the right track"?

Julian Wadleigh had one answer. During the trial, after he had admitted giving Chambers documents, Wadleigh, also at one time a promising State Department employee, was sharply questioned by Cross.

Had Wadleigh knowingly engaged in espionage? Yes, Wadleigh admitted.

"Didn't your oath of office mean anything to you?" the attorney demanded.

"Yes."

"Did you have any reservations when you took it?"

"No."

"You knew you were a traitor."

"No."

"Did you think you were performing a patriotic service to the United States?"

"I was doing what I considered to be right at the time," said Wadleigh.

THE WIRE-TAPPING OUTRAGE

by James Lawrence Fly

PROFESSIONAL and indiscriminate wire-tappers constitute the least admirable of the groups of creatures that qualify for membership in the human race. They move with stealth and secrecy. They spend so much time in manholes, cellars and other hideouts that they would be frightened by the noonday sun. They violate every sacred relation established by God and protected by law: husband and wife; parent and child; minister and parishioner; doctor and patient; lawyer and client. As Justice Brandeis has said: "As a means of espionage, writs of assistance and general warrants are but puny instruments of tyranny and oppression when compared with wire-tapping." It is a patent fact that the wire-tapper invades privacy more outrageously and procures more detailed information on people's intimate affairs than could an intruder making an unlawful search and seizure.

There is another characteristic of this low, lawless breed. Having violated these fundamental liberties as well as the clear mandate of the law—and even though he may be a public officer—he moves through a train of shady conduct to hide the facts from the public. He destroys the records, and then he destroys the order to destroy the records. He may "examine" the private mails, the law and the Constitution notwithstanding. Then, if called to account before a court, he misrepresents the true facts and, where necessary, perjures himself. He does not fear prosecution because he is an enforcer, and big enforcers do not prosecute little enforcers. The big enforcers are keen on perjury prosecutions for the selected outsiders, and the insiders are protected—even though their perjury is clearly established, and in some cases admitted, in court.

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Wire-tapping and corruption walk hand in hand. Blackmail is one of the safest forms of extortion. The wire-tapper has a great resource for blackmail. Why, in Los Angeles the madam of a call-house, the racketeer Mickey Cohen and crooked police were so tangled in a web of wire-tapping and extortion that it was impossible to tell who was doing what to whom. In New York City almost 100 percent of authorized taps are in the fertile field of prostitution, bookmaking and gambling. Government acts as a training ground for private wire-tappers.

No citizen, however innocent, is secure in his communications. Trunk lines and multiple family lines are tapped. Even public phone booths in great cities have been tapped. The phones of public officials and political headquarters have been tapped.

It is an essential characteristic of wire-tapping that in each case it is dragnet in character. It invades the privacy, not of one person, but of every innocent person who may use the line—even innocent persons who may be calling innocent persons on the tapped lines. For these reasons, no intelligent individual today would discuss important confidential matters of a personal, social, business or governmental nature by phone. Admittedly, any given wire is most likely free of tapping. The fact is, however, that no one can ever be sure. With this risk inherent, the whole theory of freedom of communications and the right of privacy and the Constitutional guarantee against unlawful search are in jeopardy.

At the national level wire-tappers operate stealthily under the guise of "security." As Justice Robert Jackson recently said: "Security is like liberty in that many are the crimes committed in its name." The FBI reported recently before the House Appropriations Committee that, on that one day, it had 170 cases involving taps. Unreported is the number of tappers the day before or for the full 365-day period. And unreported is the number of multiple taps. With thousands of taps, the FBI has yet to catch one spy by wire-tapping. Yet the FBI says it does this wholesale tapping only to subversives. The concrete results give the lie to this beguiling prattle. The conclusion is inescapable that the criminal offense of wire-tapping is committed against hundreds of our citizens without any proof that they are violating laws themselves.

The FBI is the largest secret police force ever established in a free nation. With a $54 million budget, it has thousands of agents throughout the land. J. Edgar Hoover does not call this a secret police, or a police state. But a year ago, before a Congressional committee, he stated frankly that he was planning a nationwide intelligence system. This is indeed both euphonious and ominous. Old-fashioned is the idea that the FBI's job is to enforce the laws—not to violate them. And not to amass files of gossip on the private lives, thoughts and ideas of American citizens. Yet an Attorney General has said: "That hearsay and gossip should appear in the investigative reports is to be expected."

The past record of the FBI, with the public assurance that that agency will operate under the law itself and will devote itself to investigations and the even-handed prosecution of law violators, would tend immeasurably to restore confidence in and respect for that agency. But let us not ape the dictators and destroy the liberties of a free people under the guise of preserving liberty. The detested Nazis and Communists have no Bill of Rights. Let us not, in a period of hysteria, imperil our own. Lest this warning be taken lightly, let me quote further from a very recent opinion of Justice Jackson. In this case an honorably discharged American soldier, with official approval, had married a German woman, employed by our own European Command, whose record after investigation there was found without a blemish. We excluded her here and refused to tell her or even the Supreme Court the grounds for our action. Jackson wrote this grave warning:

> Security is like liberty in that many are the crimes committed in its name. The menace to the security of this country, be it great as it may, from this girl's admission is as nothing compared to the menace to free institutions inherent in procedures of this pattern. In the name of security the police state justifies its arbitrary oppressions on evidence that is secret, because security might be prejudiced if it were brought to light in hearings. The plea that evidence of guilt must be secret is abhorrent to free men, because it provides a cloak for the malevolent, the misinformed, the meddlesome, and the corrupt to play the role of informer undetected and uncorrected.

The citizen is well-nigh helpless where this great coercive force stalks in defiance of law. It seems little for the people to expect that their own Department of Justice would be the most careful to abide by the law. There is no one to prosecute the enforcer. In an earlier breakdown in this Department two courageous Senators from Montana, Wheeler and Walsh, did a house cleaning. It were better that the new Attorney General clean up this whole situation which he has inherited. But the public cannot rest until it knows this has been done. And the people who elect Congress have a right to expect that their representatives are neither frightened nor apathetic where the most fundamental rights of a free people are in jeopardy.

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HARD TIMES FOR THE LITTLE OIL MAN

by Benton J. Stong

UNLESS they can get swift government action, most of the independents and coöperatives in the oil-refining business are going to be squeezed out by the majors within the year. One hundred and fifty such refineries are closed down, others are operating part time, and more are toppling almost daily.

The independents are being crushed between high crude-oil prices, which won't yield, and falling prices for refined or finished products. Crude, which cost $1 per barrel in the midcontinent area during prewar times, averaged $2.57 per barrel in 1949. The refineries weren't hurt when prices were high for finished products. In recent months, however, finished products have dropped to $2.60. If the majors can maintain the status quo, the independent and co-op refiners have nowhere to go but broke.

The independent and coöperative operators in the petroleum business have stood between consumers and monopoly-fixed high prices for gasoline and house-heating fuel for many years. In the past, gasoline price wars have occurred almost exclusively in areas where the majors were trimming independent operators down to size, or forcing them into line on price schedules followed by the major groups.

If the 18 major companies complete their present squeeze-out of independents, it is likely that margins will then be restored in the refining end of the business by upping the price to consumers on gasoline, kerosene, distillate, Diesel fuel and residuum.

With crude oil back down toward anything approaching the prewar price of $1 per barrel in the midcontinent area, the independents could prosper on consumer prices much lower than they are today. Their refineries flourished when they had a margin of 60 cents per barrel between the cost of crude and the value of the finished products. Before the present squeeze started, some of the coöperative refineries were almost incredibly profitable. But with crude at $2.57 and finished products at $2.60 per barrel, no refiner can survive unless he also has some of the fantastic crude profits—with tax exemption attached—out of which to pay the losses.

The major oil companies, which own 83 percent of the nation's cracking-plant capacity, not only are *not* suffering; they are greatly advantaged by the situation on their income-tax returns. The majors own 81 percent of US oil reserves. Uncle Sam gives them a handsome tax exemption on this crude production—27.5 percent of gross, up to 50 percent of their net income, to offset the depletion of oil reserves. The majors, obviously, would prefer to take their profits out of the business in the crude-oil-production department, getting this big exemption, rather than to take them out of the refinery department, where they would be subject to 100-percent taxation. In effect, the government thus rewards the majors for shifting the profit margins out of the refineries to their oil wells, which results in the squeeze on independents. Few of the independents and coöperatives in the refinery business also produce crude oil.

Some co-op refiners began to realize that a squeeze was on late in 1949. The fiery leader of the Missouri Farmers Association, Fred V. Heinkle, called a conference of coöperative refiners on the matter in October, 1949. Everyone conceded that the situation was bad, but the timid and the business-minded coöperative managers present dominated the meeting and stifled Heinkle's advocacy of getting out and raising enough hell so the public could get a peek underneath.

One of the hopes of those at the meeting was that state agencies which control the volume of crude-oil production would raise allowable production enough to force the price down. But state oil-control officials, meeting at the Interstate Oil Compact Commission in New Orleans early in December, discussed the crude-oil price situation and concluded that the price effects of their reductions in allowable production were "incidental" to conservation of oil and gas reserves. Further, they concluded that the importation of foreign crude oil by the majors will probably increase in 1950—a conclusion on which they can base further reductions in allowable domestic production for "conservation" which will, just "incidentally," of course, hold stocks down enough to keep the price high.

The situation has finally become so acute, and the intentions of the majors and the oil states so obvious, that most co-op managers are now backing Heinkle's moves to get some government relief. With the losses of one coöperative refinery in Texas running $100,000 a month, it is obvious that federal action must come swiftly. And with Congressional weathermen predicting filibuster, it looks like bust to many of the independents any way they turn.

Benton J. Stong is a special legislative representative of the National Farmers Union, chairman of the Regional Committee for an MVA and executive secretary of the National Committee on Resources.

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HAROLD L. ICKES: "Kindly Omit Flowers"

ONE HAS NOT NEEDED more than average intelligence to see that for some time Secretary Acheson has been determined to appease Franco, despite the odor of genus Mephitis that is associated with him. Although characterizing Franco's as a Fascist government, Mr. Acheson's anti-democratic purpose became as clear as day almost a year ago when his friend Ray Atherton, at Lake Success, supported the attempt to erase the bar sinister with which the United Nations had labeled Spain. Secretary Acheson has struck a dastardly blow at the democratic and Christian principles that we have vaunted. Apparently he lacked the stamina to hold out against the precious Pat McCarran of Nevada and others of the same ilk. Now, as a result of his unconditional surrender to admitted "pressure," some may question Mr. Acheson's ability to withstand other pressures relating to Chiang Kai-shek and Formosa.

When Mr. Acheson eats crow, he does it with apparent relish. He does not even pretend that, today, Franco is other than a Fascist dictator. In saying, as he did, that "it is difficult to envisage Spain as a full member of the free Western community without substantial advances in such directions as increased civil liberties and as religious freedom and the freedom to exercise the 'elementary rights of organized labor'," Mr. Acheson admits that, under Franco, there does not exist today civil liberty, religious freedom or elementary rights of organized labor. In other words, the Spain that we are preparing to appease and to which American dollars will surely be sent, has made no attempt at self-reformation. I wonder whether, as a condition to falling thus flat on his own diplomatic face, Secretary Acheson sought, directly or indirectly, to require Franco to salve the festering galls suffered by the political slaves of Spain as the result of the chafing of chains with which Franco has bound them.

Mr. Acheson also admitted that obstacles exist to the integration of Spain into the group of democratic Western European nations. There can hardly be any doubt that our abasement before Franco will be highly obnoxious to France, whose people unforgettably learned, with bitterness, the hardships and cruelties that Franco's armed thugs were eager to inflict upon any enemy of Hitler's so unfortunate as to fall into their hands. But why become tender of heart about the Frenchman who merely risked or lost his life in the underground fighting against the Nazis, while a pound of tobacco or a bale of cotton remains unsold? Profits earned from unsavory commerce with an uncivilized government mean more to certain Americans than the "In God We Trust" that stands out in raised letters on our American coins.

As an excuse for evading responsibility for the fate of desperate and hungry Spaniards, Mr. Acheson argues that "there is no sign of an alternative to the present government." This flatly goes counter to the opinions of others, some of them Spaniards, who presumably know at least as much about Spain as does Mr. Acheson. It is difficult to believe, in the face of recent news from Spain, that Franco could have survived to date if he had not been encouraged to believe that, by tightening his belt for a little longer, American money would soon be pouring into a country that, under dictatorship, has been literally on the verge of starvation. Mr. Acheson cheerfully suggests that, in changing our relationship with Spain, we "do not imply any change in the basic attitude . . . toward Spain." His juggling with words may be described as the "rhetoric of the forensic cuttlefish."

But what is a loss to Secretary Acheson's face is a gain to Senator Pat McCarran's jowl. This particular Patrick is no saint, but he does get things done, especially when the result depends upon a squeeze-play. Assuming ambassadorial and plenipotentiary powers, Patrick set forth to Europe last summer to take personal sadistic delight in the suffering of the DPs in their "comfortable" concentration camps. He ended in Madrid, where he and Franco had a wonderful time exchanging "trade-lasts." Doubtless, they marveled that there should exist in the same generation, especially at such a distance from each other, two men whose physical and mental attributes are so much alike that they could pass for twins. They found themselves equally contemptuous of the democratic process and of the essential dignity of the human being.

It must have been a great satisfaction to Patrick when the referee counted out the elegant but prostrate form of Dean Acheson and held aloft, so that all might see, the mighty right fist of Puissant Pat.

N. B. In his wordy capitulation to Franco, Secretary Acheson referred to the Spaniards as "proud people." He may not know it, but there are Americans who have felt pride in the stand on democratic and Christian principles that their country had taken with respect to the decadent imitator of Mussolini. These resent Mr. Acheson's apologies.

HAROLD L. ICKES

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BOOKS IN REVIEW

AMERICAN FOREIGN POLICY IN CRISIS

by Frederick L. Schuman

AT MT. HOLYOKE COLLEGE on June 29, 1948, George V. Allen, ex-Ambassador to Iran and Assistant Secretary of State in charge of the "Voice of America," declared that the American-Soviet conflict was "not a struggle between two powerful nations . . . but between good and evil, the good represented by human liberty and the evil by the totalitarian police state."

THE UNITED STATES IN WORLD AFFAIRS, 1948-1949, by John C. Campbell and the Council on Foreign Relations Research Staff. With an Introduction by General George C. Marshall (Harpers; $5).

On November 3, last, George V. Allen, now ambassador-designate to Tito's totalitarian police state, told the press that "Yugoslavia is clearly threatened by Soviet Russia. . . . We are unalterably opposed to aggression. That is why we are in Tito's corner. But we've got to keep our feet on the ground. We've got to avoid giving the impression that we are going to throw our arms around anybody just because he's anti-Soviet. You can see where that would lead!" (Where?) At the same time Allen confessed he didn't know whether Iran could "pass a Wassermann test any better than Yugoslavia." But "when you see a man getting beat up by a thug, you don't stop to inquire of the victim's moral character."

By November 24, however, Allen was back "on the beam." At a Ritz-Carlton dinner honoring the Shah, he asserted that "the struggle in Iran and everywhere else is not a struggle of Great Powers, but a struggle of ideas."

The State Department cannot decide whether it is playing power politics against Russia or leading a crusade against vice. The two are not the same. Political struggles for power can sometimes be compromised. Ideological battles between "good" and "evil" cannot. The virtuous must crush the wicked in holy wars of conversion or extermination.

This is but one of the many paradoxes of the "bipartisan" foreign policy. The successive crises attendant upon its impending demise reduce its supporters to a fine frenzy of political schizophrenia. Witness Hoover, who once ceaselessly denounced power politics as "immoral," and Taft, who condemns "foreign entanglements" as sinful, both clamoring for intervention in Formosa. In strange times, bedfellows indeed make strange politics.

Such reflections are suggested by (but not discussed in) the latest of the annual surveys of American diplomacy issued by the Council on Foreign Relations: *The United States in World Affairs: 1948-1949*. As usual, this is a competently edited, ably organized and well-written volume, embellished with a valuable bibliography and chronology. No rigid "line" of interpretation is followed. But the orientation, like that of the Council's admirable quarterly, *Foreign Affairs*, is, quite naturally, similar to that of the Council's more prominent directors: Allen W. Dulles, Hamilton Fish Armstrong, John W. Davis, Lewis Douglas, Myron C. Taylor, *et al.*

The Council, as such, "takes no stand, expressed or implied, on American policy" and disclaims responsibility for opinions expressed by contributors. Yet its books and periodicals constitute occasional media for unofficial expositions of official programs. This in fact is their great merit—for it is vastly helpful to all concerned to have available such apologias and vindications on so high a level of scholarship and social respectability.

What is deplorable is that no comparable work is in progress aimed at subjecting US diplomacy to incisive analysis and constructive criticism. Do basic assumptions—*e.g.*, the "anonymous" articles of George Kennan and George Morgan in *Foreign Affairs*—reflect realities? Are announced objectives attainable and, if so, do they serve the national interest and can they be had at reasonable risk and cost? Are the means employed well adapted to achieving the ends in view? No one knows. All except Communists, crackpots and Quakers are content to say "yes," while ignoring the evidence and evading the issues.

The relative paucity of serious literature devoted to seeking answers to such questions is doubtless attributable to our preoccupation with the Red Menace. Its hypnotic spell over American minds, including the best minds, is scarcely conducive to sober evaluations. But it unquestionably serves two useful functions: it precludes the emergence of any realistic Republican alternative in foreign affairs; and it wins approval for huge federal spending which, if devoted to any other purpose, would be staunchly opposed. The first result almost guarantees the indefinite perpetuation of the Democratic Party in power. Those who favor "welfare" spending at home plus "defense" spending abroad may be expected always to prevail at the polls over those who favor "defense" spending but oppose "welfare" spending. The second result promotes full employment and general prosperity. Here is a most laudable method of disposing of vast surpluses, with no loss to producers and no imports in exchange.

In these terms, contemporary American foreign policy is highly successful and exhibits unity, cohesion and direction. But in terms of the objectives publicly acknowledged, the record is a welter of contradictions.

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European solvency, for example, requires expansion of East-West trade. But East-West trade must be reduced to the vanishing point, lest the enemy acquire "strategic" materials. The development of backward areas is essential to halt Soviet imperialism. But free enterprise demands that the necessary capital be private, not public —and since investors are timid souls, public guarantees of private profits are called for in the best imperialist tradition. Communist expansion must be "contained" everywhere. "Containment" in Asia ends in a debacle. But no positive alternative policy is formulated. Global strategy is based upon a monopoly of the bomb. The monopoly ends. Strategy is unchanged. Effective rearmament of Western Europe requires the rearming of Germany. But the Reich cannot be rearmed without terrifying the West and giving the East new opportunities for anti-Western maneuvers. *Et cetera, ad infinitum.*

In short, a program which is brilliantly effective at home is an almost perfect recipe for failure abroad. How long can this go on? No doubt quite long, since the cold war is too precious to be spoiled by ending it or making it hot. Eventually, however, frustration evokes aggression or withdrawal. It therefore seems reasonable to suppose that sooner or later a balance must be struck between what is politically practicable from America's east coast to west coast and what is politically practicable from Eurasia's west coast to east coast.

Meanwhile the disintegration of present policies, under the relentless impact of facts and events, will proceed apace in Washington. The process may serve, let us hope, to educate Pentagon, State, Capitol Hill and the citizenry to the need of defining national interests and purposes in terms which recognize that the world is full of hardened sinners who will neither repent nor permit themselves to be liquidated. It is also full of recalcitrant problems whose toughness will not yield to incantations. Perhaps we shall also perceive some day that America, for all its virtue, riches and might, is not Wotan in Valhalla nor Jove on Olympus nor even Jehovah on Mount Sinai. Then, and only then, can a workable foreign policy emerge.

Frederick L. Schuman, author of International Politics *and* Soviet Politics at Home and Abroad, *is a professor of Political Science at Williams College. He also lectures at the Canadian Institute of Public Affairs and at the National War College.*

OUTFLANKING SCIENCE

THE UNITARY PRINCIPLE IN PHYSICS AND BIOLOGY, by Lancelot Law Whyte (Henry Holt; $3.50).

THE PUBLISHER of this book tells us that "the development of relativity theory and quantum theory since 1900 has shown that the Newtonian foundations of exact science are inadequate, but no reliable independent alternative has yet been found. Here at last, in a profoundly original work based on long preparation . . ." Thus the publisher, the title of the book and later the introduction assure us that there exists a simple unitary principle covering the fields of physics and biology. This is a large order indeed!

The book itself belongs to the class of those which try to outflank the scientist. Let me explain what I mean by this. Science, especially physics, has its own rigorous language, that of mathematics. The era of purely qualitative theories, the era of thinkers in the Greek manner, has passed from science. Yet the ghost of general principles that claim to explain everything but explain nothing, continues to haunt books on philosophy. In the last two centuries, the great discoveries of science have appeared in technical journals. Only later did these ideas, stripped of mathematical terms, find their way into popular books. The scientists were the first to pronounce a verdict upon such new ideas. True enough, they were sometimes stodgy, and history records that great papers were rejected or remained unnoticed for some time. Yet one must admit that such occurrences were rare. As a rule, fresh ideas that are fruitful are recognized quickly. Nevertheless, everyone has the right to outflank the scientific journals and address himself directly to the public.

In this book, Lancelot Whyte speaks to the large public rather than to scientists, and no scientific papers by him on this subject are known to me. Indeed, I do not imagine that they would be published. These remarks may seem irrelevant, but they characterize the purely qualitative nature of the author's speculations.

Whyte believes that there is one single principle governing physics and biology, and one must grant that he regards his formulation of it as provisional, hoping that the future development of science *may* prove the power of this principle. The word "may" appears over and over again when the research problems of the future are enumerated (p. 158): "If successful, unitary theory may prove. . . ," "This may include. . . ," "The method may lead . . . ," "These advantages which the unitary theory may offer . . . ," etc. Nowhere is there an indication how to bridge the gap between the Greek qualitative level and the quantitative level of modern science.

Everyone who has tackled the problems of modern science knows how difficult and dramatic is the struggle for understanding. There is no easy road to it. Our modern theories seem complicated because, in the search for logical simplicity, we must more and more refine our technique of deduction, whose tool is mathematics. Because we wish to assume less, we must deduce more. Theories without the techniques of deduction are empty. To explain qualitatively today means to explain nothing, means to ignore the developments of 2,000 years.

What is the powerful unitary principle that the author formulates? It is a qualitative and peculiar reformulation of the law of increasing entropy. In the author's words: "Asymmetry tends to disappear, and this tendency is realized in isolable processes."

The book is well written, and the author presents a hopeless case forcefully. LEOPOLD INFELD

Leopold Infeld, a professor of Applied Mathematics at the University of Toronto, is co-author, with Albert Einstein, of Evolution of Physics *and author of* Albert Einstein: His Work and Its Influence on Our World.

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THE MODERN PATHOS

MAUPASSANT: A LION IN THE PATH, by Francis Steegmuller (Random House; $5).

FRANCIS STEEGMULLER'S *Maupassant* makes enjoyable reading. It is lucid, informative, honest, objective about and appreciative of its subject. It is written without strain or mannerism. In short, it has everything to recommend it—except daring.

Steegmuller, like many present-day intellectuals, avoids saying more than he can prove. This is generally believed to be a virtue; certainly we cannot call it a vice. But fear of the speculative, the hazardously theoretical, the imaginatively venturesome in the fields of criticism, history, philosophy and biography tends to foreshorten the perspective of much current writing. Our horror of romantic flights, associated in our minds with a specious mysticism, often produces a thinness of thinking, a correctively humane but uncreative reasonableness.

For all our shrinking from the possibility of fuzzy profundity, we rarely hesitate to resort to a facile Freudianism. Steegmuller, for instance, who apparently consulted Dr. Fritz Wittels on the Maupassant "case," finds that the French writer's moral physiognomy may be ascribed to the fact that his father was consistently unfaithful to his mother. That is why, Steegmuller suggests, so many of his characters are cuckolds or tarts.

I do not say that Steegmuller's psycho-medical findings are false; I do say that, presented in the second-hand and meagerly documented fashion imposed by the limitations of a general biography, they are not so much unconvincing as irrelevant. The biographer should find his truths in the work of the writer he is studying and in the writer's *world*, of which his personal story is only a part. It is quite possible for a man to have an intimate history like Maupassant's without feeling, writing or behaving as Maupassant did. For the literary biographer, who must proceed as an artist or inevitably fall into superficiality, the significance of a writer's life and work must be discovered intuitively, not be adduced from hospital facts as viewed by doctor specialists.

Steegmuller's admirable literary sensibility and ample knowledge of the Flaubert, Zola, Maupassant period in French life and literature might easily have led him to a more rewarding emphasis than that represented by the mother fixation. For Maupassant was a mirror as well as a maker of the modern Paris that has so greatly influenced our time. Maupassant's Paris (1875-90) is the Paris of the Eiffel Tower, of a flourishing industrialism and a corrupt finance that could not entirely be hidden by the elegant atmosphere of perfume and flowers. High society had forgotten its debt to the proletariat and the peasantry, but kept its precarious balance within a framework of intelligence and the discipline of art. It set the tone for a basically new Paris, closer to that of, let us say, Hemingway and Sartre than to the city of Racine or Hugo.

Whether Maupassant was a great writer or a minor master, he is archetypical of the artist without a faith who "adores science," and is—unlike Flaubert, to whom art itself was a religion—agnostic even about art. Maupassant's main conscious concern was with publicity and money as the road to the only thing that seemed left, the indulgence of the senses. His art reflects the idolatry of the senses and its counter-emotion, their betrayal.

Man in Maupassant is sure of nothing but the flesh; therefore he is man isolated and frightened, a mocking intelligence over a gratified body and a quaking spirit. Death is perpetually feared as a hideous contradiction, because life itself, not robbed of interest but of meaning, is sensed as a void. Life which offers only the pleasures of the flesh (together with the observation of them by the mind) tricks us through death's agent—disease. What dignity can man have under these conditions? Maupassant answers, "I work—that is *all* I do . . . [and live with people] who have a kind of disdain for life and for the world which causes us to look on at life with curiosity, detached from everything we love." Is this not a leading motif of the modern pathos?

HAROLD CLURMAN

HARD TIMES IN XANADU

PLEASURE DOME, by Lloyd Frankenberg (Houghton Mifflin; $3.50).

ELEGIES, by Muriel Rukeyser (New Directions; $5).

LLOYD FRANKENBERG hopes, unpretentiously enough, that his *Pleasure Dome* may "provide a bridge to modern poetry" for prose-conditioned readers. Their stubborn indifference he blames mainly on our "habit of silent reading" rather than on the verse itself. Sensitive to the logic of image association and to the technical elements that make for a solidly alive, many-dimensioned poem, he assumes that one has just to tell the readers a few things, tell 'em again, and then set 'em loose among the living specimens. Now this may work with the already half-converted, but it does seem a little like selling democracy to the Germans. The resistance goes deep; many people, tragically insecure, simply do not trust their own resources. From Blake to Lawrence and Hart Crane, how many poets have tried to create a state of self-realization in the individual reader and so establish the real right contact! One has only to think of Yeats's "A Dialogue of Self and Soul" to see that it is not so much Brooks or Blackmur simplified that is needed as a consideration of this "magnetic" function in terms of adult self-awareness.

Neither Frankenberg's shrewd generalizations about meaning and originality nor his kindly stratagem of beginning his studies with James Stephens (because Stephens wrote a simple, poetic fiction and a simple, genuine poetry) will take the place of such an attempt to evoke recognition of what artist and audience share and derive strength from in a given work. Frankenberg has read his poets and the criticism around them. His essay on Eliot is unusually well marshaled; his appreciations of Cummings, Stevens, Marianne Moore sympathetic and alert. Even the shorter pieces on

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Pound, Williams and others are good examples of clear, deft analysis. If the explications (of "Prufrock," for instance) are not always dead-center, still the "perception, precision, compression" with which he credits Elizabeth Bishop are his virtues also. It is only with what the book is *not* that we quarrel, for that unwritten volume is a most important one.

Muriel Rukeyser's *Elegies*, now printed as a unit for the first time, seems an obvious case in point. These ten poems *are* a bridge to the kind of symbolic fusion of the fragmented, often contradictory "motifs" of modern life toward which much of our poetry strives. The structure of the individual elegies and of the whole group reflects a painful struggle, *à la* Lawrence, to achieve such fusion through identification with the "life force." The poet begins on the self-analytic level, returning to the fantasy-life of her childhood to recapture the essential motivations of her visions of absolute good and evil. In her "wrecked season, haunted by plans of salvage," we share her personal disasters and her despair in the catastrophic decade of the fall of Spain. With her we try to accept impersonal truth in all its bleakness and yet to find in it sources of faith in the healing, renewing power of the will—sources of joy.

The poem-sequence, with its use of materials from science, the arts and philosophy, has too many facets for adequate examination here. Yet two major points come through. First, it is a principled and moving—if sometimes hysterical—effort to grasp the special meaning of our moment in history. Second, it is the kind of poetry in which abstract ideas take life from the intimacy of its creator's "private" associations. In the interplay of such elements, and of the formal esthetic relationships into which they are transformed, there is room for the reader to discover himself and for the critic to help him do so. M. L. ROSENTHAL

M. L. Rosenthal is a member of the English faculty of Washington Square College, New York University. He has contributed to Poetry, the University Review, New York Herald Tribune Books, etc., and is the prospective editor of a new quarterly magazine.

MOVIES: Death in Vienna

THE Carol Reed-Graham Greene black-market thriller, "The Third Man," breaks no trails; it is written and directed carefully within the bounds of the Hitchcock school, where Reed learned his trade. But it is a good example of that polished, intricate style and, without the striking personality of the team's earlier "Fallen Idol," it produces an effective bittersweet mood and works out efficiently its cuckoo-clock surprises. The picture is timed with a stop watch, cast with an almost fanatic attention to bit parts. If chases up circular staircases and through echoing sewers, if jiggling music (played in this instance on an accomplished but too-obtrusive zither), elaborate anticlimaxes, gay backgrounds to horror and incongruously innocent bystanders are all by now familiar nails in a well-built movie gallows, they are not yet so worn as to have lost their hold. No one dozes at "The Third Man."

This picture is an Anglo-American production (something to do with hard and soft currency areas) presented jointly by Alexander Korda and David Selznick and made in Vienna. Its American-British-Austrian cast provides Reed with an attractive variety of personalities. The dry intelligence of Trevor Howard's British detective-major makes a fine fool of Joseph Cotten's bungling American.

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Cotten, who often seems ill at ease in his native haunts, becomes persuasive and appealing among all the stiff-necked and dangerous foreigners.

Valli has very little to do in the picture; she is a dreary girl mourning her dead lover and is called on only to look wan and pass the back of her wrist across her forehead, a gesture that Jane Cowl herself could not repeat indefinitely without beginning to seem pallid. Orson Welles, on whom the mystery somewhat precariously depends, extravagantly overdoes what he is supposed to do. The hamminess of Welles is no longer a joking matter; this youthful bad habit has become a settled vice that may make him unemployable and a public charge. Ernst Deutsch, an Austrian, displays the most blood-chilling smile in screen history.

There is probably nothing wrong with "The Hasty Heart" on the screen that wasn't already wrong with the original John Patrick play. It has been filmed clearly and simply, with an admirably directed cast including Ronald Reagan, Patricia Neal, and Richard Todd, a newcomer whose Scots burr and vulnerable boyishness are instantly disarming.

What is wrong with "The Hasty Heart" is that it is one of the most barefaced tearjerkers ever concocted. This tale of an objectionable young misanthrope, a bastard by birth as well as personality, who is known to be dying by everyone in the company but himself, is not written from an understanding of tragedy but from a shrewd appraisal of the financial value of reducing an audience to moans and sobs. It lacks respect for human dignity and invites you to overlook improbabilities, inconsistencies and softheadedness in exchange for vicarious heartbreak. There is so much of the real thing around today that no one need accept this mechanical substitute.

One spring afternoon in Paris, Charles Laughton, Burgess Meredith and Franchot Tone were sitting cozily on a café terrace drinking crème de menthe frappés with a couple of good little girls named Jean Wallace and Patricia Roc. Suddenly one of the boys, probably dear Burgess, said mischievously, "Wouldn't it be fun if we made a movie all by ourselves, with no grown-ups around to tell us what to do?" Whereupon the others clapped their hands in high glee, and they all skipped off to make "The Man in the Eiffel Tower." That at least is a plausible explanation of how so many well-known performers got embroiled in so dreadful a picture.

"The Man in the Eiffel Tower" is a mystery (adapted by Harry Brown from a Simenon novel) which conceals the identity of the killer for the first 10 minutes. The rest of the picture (87 minutes) is devoted to the spectacle of Tone feigning what he conceives to be madness and daring Laughton, ace sleuth of the Sûreté, to run him in. Why he doesn't immediately do so remains a mystery to the end. In this great drama of character, Tone looks silly but not crazy, Laughton looks like Bethel Green on holiday, and Meredith, in a red wig borrowed from Harpo Marx, looks as though no one had given him a part and he was making one up as he went along. The French capital is still photographing well, but on this occasion seemed unhappily crowded with Hollywood celebrities. ROBERT HATCH

BOOKS

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MUSIC: The International Scene

SINCE THE END of the war, musical activity has been growing with astonishing vigor in nearly every corner of the globe. In Europe, the old institutions have resumed their interrupted careers, and new ones—notably scores of summer festivals devised to attract tourists from the Western Hemisphere—have sprung up. For the first time the Latin American countries now occupy a significant position on the musical map, and such former outposts as South Africa and Australia are expanding and improving their musical life.

In preparing a documentary issue of *Musical America* (January 15, 1950) devoted to music all over the world, I was impressed by the volume of writing and performance in every country that subscribes to Western methods and esthetics (as opposed to the totally different musical life of the Orient). Permanent symphony orchestras are now maintained in Johannesburg, South Africa; in each of the six states of Australia; in Bogotá, Colombia; in Oporto, Portugal. Chamber music thrives in Mexico and several other Latin American countries. Toronto, Canada, and Santiago, Chile, support permanent ballet companies. Premières of new operas by native composers have been given not only in Italy, but in Montevideo, Uruguay, and Mexico City. Chile provides some of the finest musical education in the world, in its National Conserva-

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tory and its University. Composers are active everywhere, and their works are being heard—in Melbourne, in Lima, in Glasgow.

Yet despite this land-office business, a note of sadness and alarm runs through many of the reports of correspondents abroad. Music is a fine thing, they all agree, and a great many people want to have a lot of it written and performed; but how is it to be paid for? Except in the United States, most of the significant musical institutions are kept alive by government subsidy. Apart from the Metropolitan and San Francisco opera companies in this country, the Rio de Janeiro opera is, as far as I know, the only large operatic establishment that operates without state subvention, and its quality has taken a nose dive in recent years. Fabulous sums are lavished by the Italian government upon the Teatro alla Scala, in Milan, and by the Argentine government upon the Teatro Colon, in Buenos Aires; as a result, these two opera houses maintain the highest standards in the world. Other national companies, such as the Vienna Staatsoper and the Royal Opera at Covent Garden in London, are adequately subsidized for creditable, if less dazzling, work.

Elsewhere, however, opera languishes. The public cannot afford to pay what it costs to produce opera with prewar elegance and display. Whenever the national budget tightens, grants to musical institutions are immediately threatened. In Germany, for instance, the government questions whether it may spend its limited resources on operatic subsidies instead of on cancer research. Even the Rome opera, which has always preserved an atmosphere of opulence in the past, has its back to the wall. The cost of each performance is three times the average box-office intake, and the management wonders how it will be able to finish the season, even without staging a single new production. Only at the summer festivals can brief opera seasons (usually consisting of only two or three works already produced at Vienna or Glyndebourne and imported in package form) be offered without unbalancing the budget.

Symphony orchestras, being less costly, are on the whole much better off. The multiplication of local orchestras in principal cities throughout the world parallels the development here; the new orchestra in Queensland has come into being as a result of provincial artistic aspirations like those of Tulsa or Vancouver. With or without national or local aid, the maintenance of an orchestra is not an unthinkable task, and Brahms symphonies will soon become as familiar in Bogotá as they are now in Boston.

In Europe, Australia and several Latin American countries, the radio has become a powerful force in the support of new music. Concert organizations, in general, tend toward extreme conservatism. (Anyone who accuses the New York Philharmonic-Symphony Society of closing its mind to contemporary music should examine the arch-traditional programs of the British, French, German, Austrian, Belgian, Italian and Swiss orchestras.) But in several countries the radio has set itself the mission of providing abundant contemporary music, particularly that of native composers—Radiodiffusion Française, in Paris, and Emissions Flamandes, in Brussels, have broadcast hundreds of pieces by living composers—international celebrities and young experimentalists alike. Radiodiffusion de la Suisse Romande, in Geneva, follows a similar policy, though on a smaller scale; and even the Italian radio began last year to show a glimmer of interest in new music. The South American and Australian radios are not as venturesome, but they are gradually beginning to support native works.

The spread of performance facilities naturally provides a stimulus to composers. Music—sometimes good music—is being written today in more parts of the world than ever before, and this once European art is taking on a fresh and interesting cosmopolitan look. I shall discuss this development in a future column. CECIL SMITH

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